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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

MARIA STE. MARIE, et al. : DOCKET NO. 06 CV 0054
VS. : JUDGE MINALDI
MIDWEST FREIGHTWAYS, INC., et : MAGISTRATE JUDGE WILSON
al.

ORDER

Before this court is a Motion to Dismiss pursuant to Rule 12(b)(b) of the Federal Rules of Civil Procedure [doc. 22] filed by defendant, Midwest Freightways, Inc. Plaintiffs, Marie Ste. Marie, individually and as Next Friend and Natural Tutrix of Michael Ste. Marie, and as Representative of the estate of Ray Ste. Marie, deceased, Andrea Ste. Marie, Timothy Ste. Marie, Dominique Ste. Marie and Brian Ste. Marie have filed an opposition. However, documents and exhibits outside the pleadings have been submitted by both sides. Therefore, the Court shall treat this Motion as one for Summary Judgment pursuant to Rule 56.

The parties ARE ORDERED to submit any other competent summary judgment evidence within fifteen (15) days of the date of this order.

Lake Charles, Louisiana, this 6 day of March, 2006.


PATRICIA MINALDI
UNITED STATES DISTRICT COURT